

ELECTION AND REMARKS

Election

Applicant hereby elects, without traverse, to prosecute group 65.

Remarks

Applicant's paper filed November 6, 2003 was deemed non-responsive. However, Applicants respectfully point out that the restriction requirement mailed October 6, 2003 was unclear as to which claims fell within which group. Pursuant to a telephone conversation with Examiner James Schultz on October 13, 2003, Applicants elected to pursue claim 7 as renumbered by Examiner Schultz. (Claim 7 was previously claim 6, as there was a claim numbering error in the application as originally filed.) Accordingly, claim 7 is the same as originally filed claim 6 and has not been "altered" as indicated in the Office Communication mailed January 28, 2004. The previous information was discussed with Examiner Marvich in a telephone conversation on February 4, 2004.

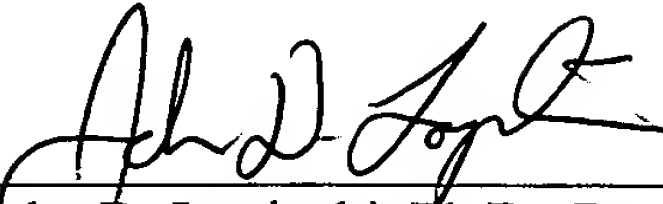
Additionally, Applicants believe the numbering of groups in the restriction requirement mailed October 6, 2003 is in error, which is why Examiner Schulz indicated election of claim 7 would be responsive to the restriction requirement mailed October 6, 2003. Specifically, groups "XXXVII-XLVII" on page 3 are followed by group "LXVIII-LXI" and groups "LXII-LXXII" on pages 4-5, which equates to groups 37-47 followed by groups 68-61 and groups 62-72. Applicants have provisionally elected group 65 from groups LXII-LXXII as numbered on page 4-5 with the understanding that group 65 includes claim 7 as renumbered by Examiner Schultz, and also includes nucleotides 1-89 of SEQ ID NO:9.

It is believed no fee is due with this Election and Amendment. If a fee is due, please charge deposit account number 08-2442. If the Examiner has any questions, or if any information is needed to assist in expediting prosecution of the instant application, the undersigned attorney of record may be contacted at the number provided below.

Application No. 09/721,414
Response to Office Action dated January 28, 2004

Respectfully submitted,

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By 
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